

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> Debtors. ¹	PROMESA Title III No. 17 BK 3283-LTS (Jointly Administered)
NORTH SIGHT COMMUNICATIONS, INC. v. THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of COMMONWEALTH OF PUERTO RICO, Debtor.	PROMESA Title III This filing relates only to the Commonwealth and shall only be filed in Case No. 17-3283. Re: ECF No. 23433

**URGENT CONSENSUAL
MOTION FOR EXTENSION OF DEADLINES REGARDING NORTH
SIGHT COMMUNICATIONS, INC.'S MOTION FOR ALLOWANCE AND
PAYMENT OF POST-PETITION ADMINISTRATIVE EXPENSE CLAIM**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To The Honorable United States District Court Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole representative of the Commonwealth of Puerto Rico (the “Commonwealth” or the “Debtor”) in this Title III case pursuant to section 315(b) of the *Puerto Rico Oversight, Management and Economic Stability Act* (“PROMESA”),² respectfully submits this urgent consensual motion for entry of an order (the “Urgent Motion”), substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines in the *Order Granting Urgent Consensual Motion for Extension of Deadlines Regarding North Sight Communications, Inc.’s Motion for Allowance and Payment of Post-petition Administrative Expense Claim* [Case No. 17-3283, ECF No. 23433]³ (the “Extension Order”) and states as follows:

REQUEST FOR RELIEF

1. On January 18, 2023, North Sight Communications, Inc. (“Movant”) filed *North Sight Communications, Inc.’s Motion for Allowance and Payment of Post-petition Administrative Expense Claim* [ECF No. 23269] (the “Motion”), seeking payment of certain asserted administrative expenses, as described further in the Motion.
2. Pursuant to the Extension Order, the deadline to file (i) responsive papers to the Motion is March 3, 2023 at 5:00 p.m. (Atlantic Standard Time) (the “Response Deadline”) and (ii) the Movant’s reply papers is March 17, 2023 at 5:00 p.m. (Atlantic Standard Time) (the “Reply Deadline”). The Motion will thereafter be taken under submission, unless the Court determines a hearing is necessary.

² PROMESA is codified at 48 U.S.C §§ 2101-2241.

³ Unless otherwise stated, all ECF Nos. shall refer to the docket in Case No. 17-3283.

3. The Debtor is continuing to analyze its books and records in an attempt to reconcile the assertions in the Motion. Accordingly, in order to permit the Debtor to complete its assessment, the Oversight Board respectfully requests an extension of the (a) Response Deadline from March 3, 2023 to **March 24, 2023 at 5:00 p.m. (Atlantic Standard Time)**, and (b) Reply Deadline from March 17, 2023 to **April 10, 2023 at 5:00 p.m. (Atlantic Standard Time)**. Movant has been informed of and has no objection to the extension requested herein.

4. Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1] (the “Case Management Procedures”), the Oversight Board hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter; has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court, and Movant consents to the relief requested herein.

NOTICE

5. The Oversight Board has provided notice of this Urgent Motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (c) counsel to the statutory committees appointed in these Title III cases; (d) the Office of the United States Attorney for the District of Puerto Rico; (e) counsel to the Oversight Board and AAFAF; (f) all parties filing a notice of appearance in these Title III cases; and (g) Movant. A copy of the motion is also available at <https://cases.ra.kroll.com/puertorico/>.

6. The Oversight Board submits that, in light of the nature of the relief requested herein, no other or further notice need be given.

WHEREFORE the Oversight Board requests the Court enter the Proposed Order and grant such other relief as is deemed just and proper.

Dated: March 2, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Brian S. Rosen
Martin J. Bienenstock
Brian S. Rosen
(Admitted *Pro Hac Vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900
Email: mbienenstock@proskauer.com
brosen@proskauer.com

Attorneys for the Financial Oversight and Management Board as representative for the Commonwealth

/s/ Hermann D. Bauer
Hermann D. Bauer
USDC No. 215205
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944
Email: hermann.bauer@oneillborges.com

Co-Attorney for the Financial Oversight and Management Board as representative for the Commonwealth

CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer

EXHIBIT A

Proposed Order

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*

Debtors.¹

NORTH SIGHT COMMUNICATIONS, INC.

v.

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

COMMONWEALTH OF PUERTO RICO,

Debtor.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

PROMESA

Title III

**ORDER GRANTING URGENT CONSENSUAL
MOTION FOR EXTENSION OF DEADLINES REGARDING NORTH
SIGHT COMMUNICATIONS, INC.'S MOTION FOR ALLOWANCE AND
PAYMENT OF POST-PETITION ADMINISTRATIVE EXPENSE CLAIM**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon the *Urgent Consensual Motion for Extension of Deadlines Regarding North Sight Communications, Inc.'s Motion for Allowance and Payment of Post-Petition Administrative Expense Claim* (Docket Entry No. ____ in Case No. 17-3283, the “Urgent Motion”);² and the Court having found it has subject-matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue in this district is proper pursuant to PROMESA section 307(a); and the Court having found the Oversight Board provided adequate and appropriate notice of the Urgent Motion under the circumstances and no other or further notice is required; and upon the record herein, after due deliberation thereon, the Court having found good and sufficient cause exists for the granting of the relief as set forth herein:

1. The Urgent Motion is **GRANTED** as set forth herein.
2. The Extension Order shall be modified as provided herein.
3. The following briefing schedule shall apply:
 - The deadline for parties to file responsive papers to the Motion shall be **March 24, 2023 at 5:00 p.m. (Atlantic Standard Time)**.
 - The deadline for the Movant to file a reply to all oppositions and responses shall be **April 10, 2023 at 5:00 p.m. (Atlantic Standard Time)**.
4. The Court will thereafter take the Motion on submission.
5. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: _____, 2023.

SO ORDERED:

HONORABLE LAURA TAYLOR SWAIN
United States District Judge

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the Urgent Motion.